Serial No. 10/021,523 Docket No. 1232-4798

Paper dated 10/18/2007

In reply to Office Action dated 7/18/2007

## **REMARKS**

## I. Status of the Application

Claims 1-12 are pending in the application. Claims 1 and 5 are independent. No claims have been amended.

#### II. Rejections under 35 U.S.C. §102

Claims 1-12 stand rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,523,696 to Saito, et al. (hereafter, "Saito").

Applicants submit that Saito does not teach or suggest at least "sending operation information to the controlled device, the operation information including <u>a shifting history of a cursor displayed on the control panel</u>, wherein the shifting history represents a list of buttons <u>depressed by the cursor</u>", as required by independent claims 1 and 5 of the present invention.

The Office Action asserts that Saito teaches the above recitation. Specifically, the Office Action asserts that "[t]he succession of each operation selected by the user as discussed above (e.g. a user selects a "play" button from the displayed control panel, and a minute into the program, the user selects a "fast forward", "reverse", etc) has sent a history of where the cursor has been due to the ability of the system to highlight a particular button (as discussed above) and via the selection of each button displayed on the control panel." (page 4 of the Office Action)

Indeed, Saito teaches transmitting a command in response to the clicking of an icon as shown in figure 31. However, merely highlighting and selecting a button displayed on the control panel does not necessarily anticipate a shifting history as required by the claims of the present application.

An example of a shifting history is shown in figure 8 of the present application, which includes a list of button ID's. This list of button ID's that have been depressed by the cursor is sent to the controlled device. At best, Saito discloses sending only the command corresponding to the selected button. Saito however provides no teaching or suggestion of sending a list of buttons that have been depressed by the cursor. Applicants believe that merely sending a command corresponding to a presently selected button, as taught by Saito, does not anticipate a shifting history as taught by the present application.

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In view of the above, independent claims 1 and 5 are believed distinguishable over Saito for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 1 and 5 under 35 U.S.C. §102(e) is respectfully requested.

Applicants have not specifically addressed the rejections of the dependent claims. Applicants respectfully submit that the independent claims, from which they depend either directly or indirectly, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicants, however, reserve the right to address such rejections of the dependent claims in the future as appropriate.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admission that the cited document is, in fact, prior art.

Applicants believe that the application is in condition for allowance and such action is respectfully requested.

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## CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

# **AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. <u>13-4500</u>, Order No. 1232-4798. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No <u>13-4500</u>, Order No. <u>1232-4798</u>. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

By:

Respectfully submitted, MORGAN & FINNEGAN, L.L.P.

Dated: October 18, 2007

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# **CONCLUSION**

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